



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

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MEMORANDUM FOR THE ATTORNEY GENERAL

FROM: Sheryl L. Walter
Acting Assistant Attorney General

SUBJECT: Weekly Report for February 12, 2001 - February 16, 2001

THE WEEK AHEAD

Drug Enforcement Agency (DEA): The House Committee on Government Reform (Burton, Chair) has renewed a request for interviews with four supervisory personnel connected with the DEA Office of Professional Responsibility process. The interviews are expected to be scheduled this week, with DEA and OLA representatives participating. The Committee also had requested during a meeting of the Chairman with Administrator Marshall certain internal memoranda respecting the recent reassignment of 16 SES personnel within DEA. Committee staff also have expressed an interest in interviewing all of the 16 transferees. We plan to provide the requested memoranda with an agreement as to their confidentiality, and will continue to discuss with Committee staff possible interviews of some or all of the transferred SES personnel. (Tanner, Thorsen)

Presidential Pardons of Marc Rich and Pincus Green: On February 8, former Deputy Attorney General Eric Holder testified before the House Government Reform Committee (Burton, Chair) about President Clinton's pardons of fugitives Marc Rich and Pincus Green. Former Assistant U.S. Attorneys Sandy Weinberg and Martin Auerbach (who handled the investigation in the Southern District of New York, which led to the Rich and Green indictment in 1983), and Jack Quinn, Marc Rich's attorney, also testified. The testimony established that the usual pardon application procedures were not followed with regard to these and other pardons granted in the waning hours of the Clinton administration, which fueled the controversy about the actions. In advance of the hearing, we provided the Committee with information and documents, which seemed to have satisfied their needs. We will continue to work with them regarding this matter.

The Senate Judiciary Committee also plans to hold a hearing on the Rich pardon this week and we plan to provide them with the same documents and information that we supplied to the House Committee. In addition to Eric Holder, they have informally requested testimony from the Pardon Attorney to describe the usual pardon applications procedures and explain how they were not followed in the last Clinton pardons including, but not limited to, Rich and Green. Since congressional testimony by the Pardon Attorney has been extremely rare, due to the special advisory role to the President played by the Pardon Attorney, we will seek White House guidance regarding this invitation.

We also are advised that the House Judiciary Committee plans a hearing for the end of February or early March on the pardon process, but we have no details yet about that Committee's particular interests. (Burton, Thorsen)

PanAm 103: Jim Reynolds, Chief of the Criminal Division's Terrorism and Violent Crime Section, and Deputy Chief for International Terrorism Brian Murtagh, joined by representatives from the State Department and OLA, met with House International Relations Committee staff on February 12 to discuss the recent verdict in this case and its implications for the future. Murtagh, with representatives from CIA, met with Senate Intelligence Committee staff on February 5, and Reynolds and Murtagh, with representatives from the State Department, met with Senate Foreign Relations Committee majority staff on February 8 on the same issue. (Walter)

Victims of Identity Theft: Representatives of FBI, Criminal Division's Fraud Section and OLA will meet with staff of Senators Kyl and Feinstein on February 12 to provide technical assistance regarding proposed legislation to provide relief to victims of identity theft. (Tanner)

Bankruptcy: The Senate Judiciary Committee (Hatch, Chair) held a hearing on Bankruptcy Reform legislation on Thursday, February 8. The House Judiciary Committee (Sensenbrenner, Chair) held two days of hearings on February 7 and 8, on H.R. 333, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2001. The House has scheduled a markup of its bill on February 14, and the Senate has scheduled a markup for Thursday, February 15, with the possibility of it being held over until after the President's Day recess. (Wilson)

Wen Ho Lee: Deputy Assistant Attorney General Bruce Swartz from the Criminal Division and Internal Security Section Chief John Dion will meet with Senate Intelligence Committee staff on February 15, joined by representatives from the FBI, to brief on matters related to this case. (Walter)

CI-21: Representatives from the Department and FBI have been tentatively asked to brief House Intelligence Committee staff on the status of the CI-21 initiative on February 15; earlier this month we briefed the Senate Intelligence Committee staff on the issue. (Walter)

Terrorism and Domestic Preparedness: The House Government Reform Subcommittee on National Security, Veterans' Affairs, and International Relations (Shays, Chair) has requested a briefing on prevention, investigation and consequence management. This continues an interest that the Subcommittee had during the 106th Congress, and this briefing is one in a series of those already conducted by the FBI. OLA has coordinated participation from the Criminal Division's Terrorism and Violent Crime Section as well as the Office of Justice Programs. (Daley)

THE WEEK IN REVIEW

Pipeline Safety: On February 8, the Senate approved S. 235, a gas and oil pipeline safety bill that would increase inspections of pipelines and increase penalties for safety violations by a vote of 98 - 0. A similar measure passed the Senate last year but was stalled in the House. DOJ worked last year to put many of the bill's current enforcement provisions in place. (Pearlman)

Indianapolis Baptist Temple: On February 6, OLA accompanied staff from the Terrorism and Violent Crime Section and the U.S. Marshals Service to a briefing for House Judiciary staff. The Committee had submitted a written request for an oversight briefing on the pending seizure of this property by the U.S. Marshals Service. (Daley)